

**DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT**

P.O. Box 1947  
Sacramento, CA 95812-1947  
(916) 576-7109  
(916) 263-1406 (FAX)  
(916) 263-1402 (TDD)



**LIHEAP SERVICE PROVIDER'S COMMITTEE MEETING (AMENDED)**  
**Community Services & Development Department**  
**2389 Gateway Oaks**  
**Sacramento, CA 95833**

**February 10, 2010**  
**10am – 2pm**

Roll Call – Introduction of Guests – Approval of Minutes (15 min)

Director's Report (40 min)

Election of New Officers (10 min)

DOE ARRA Program Update – Jason Wimbley (45 min)

- DOE ARRA Contract Amendment
- DOE Reporting Changes
- Performance Expectations and Evaluation
- Priority Measure Study Update
- Changes to diagnostic testing measures
- Post Inspections

2010 LIHEAP Contract Amendment – Kathy Ely (20 min)

- 2010 PY LIHEAP Funding
- 2010 LIHEAP Contract Amendment
  - LIHEAP Labor Rate Changes
  - Davis Bacon Compliance
- Local Plan Modifications/ECIP HCS Flexibilities

Lunch – (30 min)

Utility Disconnection – Dennis Osmer (20 min)

ServTraq Training and System Enhancement Update – Dennis Osmer (10 min)

Innovative Weatherization Project Update – Kathy Ely (10 min)

Davis-Bacon Compliance/Certified Payroll – Val Martinez (20 min)

Association Updates (10 min)

Suggestions for Topics for Next Meeting and Announcements (5 min)

Adjournment

## **Minutes – Meeting to Discuss**

**Meeting Purpose** – To ensure the opinions and position of the network via the Low-Income Home Energy Assistance Program Providers (LIHEAP) and CSD are considered and discussed in a public open forum.

**Date, Time and Place** – February 10, 2010

10am – 2pm

KING Conference Room at CSD

### **Attendees**

#### **Member**

Madera County

Central Coast Energy Services

Amador-Tuolumne

Campeños Unidos, Inc.

Self-Help Home Improvement Project

San Bernardino County

Maravilla

Community Enhancement Services

Riverside County

ACCES

MAAC

Kings County

Marin County

Santa Barbara County

San Joaquin County

RCAA

PACE

Orange County

Merced

North Coast Energy Services

San Benito County

Glenn County

Plumas County

Spectrum Community Services

Colusa-Glenn-Trinity

San Francisco

Butte County

Nevada County

Sacred Heart

Project Go

### **Conference Call**

CSET

Alameda

CVOC

Butte

San Luis Obispo

Plumas County

Oakland

San Bernardino

### **CSD**

Lloyd Throne

Jason Wimbley

Kathy Ely

Lynn Wiley

Kristin Hart

Mercy Hernandez

Florencia Hernandez

Patsy Esposito

Charles Belk

Lorraine Yamada

Joan Walker

Shannen Cheng

Danny Feister

Liz Rios Fitzgerald

Carol Forrest

### **Approval of Minutes**

Kathy Kifaya moved that the minutes from November 17, 2009 be approved and Howard Estlin seconds the motion.

### **Topics Discussed**

Director's Report

Election of New Officers – Val Martinez

DOE ARRA Program Update – Jason Wimbley

2010 LIHEAP Contract Amendment – Kathy Ely

Utility Disconnection – Dennis Osmer

ServTraq Training – Dennis Osmer

Innovative Weatherization Update – Kathy Ely

Davis-Bacon – Val Martinez

Association Updates – Val Martinez

## **Director's Report**

Lloyd Throne, CSD Director introduced the new executive staff members to the providers, Emily Fisher, Staff Counsel and Maria Caudill, External and Legislative Affairs. The next topic was an overview of the recent BSA audit. Lloyd stressed the importance of the September 30<sup>th</sup> benchmark and the need for all agencies to contribute towards the achievement of the statewide goal – producing approximately 13,000 units. The fallout from the BSA audit is that CSD is spending an inordinate amount of time providing reports, status updates, etc. to the Governor's office, DOE, CHHS, etc. There are weekly meetings at the Governor's office and weekly meetings with the Director of the ARRA Task Force to provide weekly progress updates on the DOE ARRA program. CSD has provided a detailed plan, outlining the various strategies and approaches that CSD plans to deploy to ensure the achievement of the performance benchmark. The range of options includes but is limited to:

- Expanding data reporting requirements to provide a more accurate depiction of local progress and achievements:

- Exploring options for redirecting funds to other providers with additional capacity to take on more funding:

- Aggressively pursuing new providers for areas without a DOE Energy Service Provider: reorganization and reassignment of staff within Energy Division, specifically to address the needs and requirements of ARRA DOE WAP:

- Bring in outside resources and critical expertise in the form of specialized consultants to reduce workload of staff; and

- Obtain support/intervention of GO to address external political obstacles; and

- Proactive monitoring techniques to better assess individual agency performance and removing barriers impeding production.

The next topic of discussion was the budget. The President's FY 11 budget for LIHEAP is complex. It would reduce the total core budget from \$5.1 billion in FY 10 to \$3.3 billion. Of this amount, \$2.51 billion would be allocated by formula grant and \$790 million would be allocated for emergency funds. In comparison, the FY 10 appropriation provided \$4.5 billion in formula grant funds and \$590.3 million in emergency funds. The FY 11 budget would also authorize a new "trigger" provision for LIHEAP that would be similar to the trigger proposed last year but would build in more flexibility. The trigger would provide adjust funding levels upwards in the event of higher energy prices. The President's Budget set aside \$2 billion for the trigger for FY 11. Assuming that all trigger and emergency funds were released, the budget would provide a total of \$5.3 billion, an increase of \$200 million over the current year.

## **Election of New Officers**

Patty Bailey motioned to amend by laws to allow existing officers to remain full-term. This motion was second by Lois Carson. Rationale: All eyes – Motion carried

## **DOE ARRA Program Update**

The first discussion was lead by Leslie Campanella from CSD regarding the 2009 DOE ARRA contract changes. She also discussed the contract changes to the 2010 LIHEAP contract. Handouts were given on both of these discussions. Jason Wimbley addressed the providers regarding DOE reporting changes. He said that the auditors want to see the numbers. He emphasized that the 2009 unit production work plan numbers have to be correct because these are the numbers that will be reported. These numbers should be for production between Feb. 2010 and Sept. 2010. Jason also said these numbers should be realistic. Val Martinez suggested that agencies go with a conservative number in the beginning, monitor production and then amend the numbers. These production numbers will be reported to DOE. The CSD field reps will be monitoring the numbers. Another discussion was held on ARRA Departmental Guidance. This will take effect in the month of Feb. 2010. CSD is asking for a report twice a month on the 15<sup>th</sup> and the 30<sup>th</sup> so the information can be collected and reported to DOE. CSD will modify the current monitoring procedures to include ARRA reporting. CSD asked the agencies to be cooperative with the new procedures and to understand that CSD is here to help the agencies meet their goals. Jason also discussed the upcoming field study to collect data to send to Carole Gates at DOE. Forty agencies will be contacted for this study.

## **2010 LIHEAP Contract Amendment**

LIHEAP funding is still under the continuing resolution. On January 14<sup>th</sup>, CSD received 2<sup>nd</sup> quarter release of 2010 LIHEAP funding. The release provided \$48.6 million, increasing the cumulative funding totals to \$98.9 million received to date. On January 20, HHS release \$490 million in Emergency Contingency Funds (ECF) in response to the growing demands on states and families for economic relief. California's share is \$26.8 million. The department is in the process of seeking budget authority to encumber the ECF funds and hope to receive the additional authority within the next 30 days. The following information on the Davis-Bacon Act was shared. Contractors and subcontractors must pay laborers and mechanics employed directly upon the site of the work at least the locally prevailing wages (including fringe benefits), listed in the Davis-Bacon wage determination in the contract, for the work performed. Davis-Bacon labor standards clauses must be included in covered contracts. The Davis-Bacon "prevailing wage" is the combination of the basic hourly rate and any fringe benefits listed in a Davis-Bacon wage determination. The contractor's obligation to pay at least the prevailing wage listed in the contract wage determination can be met by paying each laborer and mechanic the applicable prevailing wage entirely as cash wages or by a combination of cash wages and employer-provided bona fide fringe benefits. Prevailing wages, including fringe benefits, must be paid on all hours worked on the site of the work. Apprentices or trainees may be employed at less than the rated listed in the contract wage determination only when they are in an apprenticeship program registered with the Department of Labor or with a state apprenticeship agency recognized by the Department. Contractors and subcontractors are required to pay covered workers weekly and submit weekly certified payroll records to the contracting agency. They are also required to post the applicable Davis-Bacon wage

determination with the Davis-Bacon poster (WH-1321) on the job site in a prominent and accessible place where they can be easily seen by the workers.

### **Utility Disconnection**

Dennis McGee and Dennis Osmer spoke about the PUC meeting and the discussion about the high percentage of utility shut-offs. So Cal has lower shut off numbers than PG & E. Dennis encouraged the network to attend the local PUC meetings; he said that the LIHEAP program was never mentioned at the meeting. A motion was made by Lois Carson to send letters to the local PUC meetings to support the LIHEAP program and CSD. Kathy Kifaya seconds the motion.

The next discussion was an update on ServTraq Training and System Enhancement. Effective with the Feb 2010 monthly report, which is due no later than Mar 5, 2010, agencies will be required to provide a reporting of identified (eligible) weatherization projects and weatherization projects where weatherization work has commenced but not yet completed. The additional reporting is intended to supplement the completed unit reporting and provide a broader picture of individual agency work portfolios and accomplishments. To assist agencies in providing this information, CSD has coordinated with Central Coast Energy Services (CCES) to develop an output report for both the ServTraqLITE and the full version system. CCES plans to distribute this system enhancement by March 1, 2010. However, be advised that the output report will only be beneficial to those agencies using the ServTraqLITE or full version system as a project management tool – meaning all relevant data is entered into the system to support tracking the full life cycle of weatherization projects from beginning to end. Agencies opting to limit the use of the system by only inputting weatherization job information at the time of its completion will have to devise their own system to track and provide the requested information.

### **Innovative Solar Project Update**

Kathy Ely of CSD gave an update on the innovative solar project. The draft contracts have been sent out and Kathy's staff is reviewing the comments back from the network. CSD is working on the final contracts, at this point, leveraging is an issue. Kathy introduced new staff in the LIHEAP department.

### **Davis-Bacon Compliance/Certified Payroll**

Val Martinez led this discussion. A suggestion was made to create a peer to peer committee To share ideas and how to best do Davis-Bacon compliance to make life easier and to support the network. The best practices of everyone's input would be considered to develop one system. A survey would be sent out to ideas; the network was encouraged to respond to the survey. There will be a working peer to peer group on Feb. 11, 2010 at CRP in Sacramento from 10-1pm, 250 Harris Street, Ste 1, Sacramento, Ca.

### **Associations Update**

Louise Perez – ACCES – discussed the possibility of CRP looking to improve the training programs to better serve the network. ACCES discussed a symposium this year that will focus on future issues. ACCES will also be making changes and updates to their website. Arlene Novotney – ACCES – discussed the Energy Association Newsletter and the upcoming agency visits. Tom Tenorio discussed the budget briefing 2011 proposal and will send information out to Cal/Neva. Tim Reese discussed Cal/Neva's working relationship with the network and the possibilities of the partnership to work on the weatherization programs. Tim also discussed the annual Cal/Neva conference.

### **Adjournment**

The meeting was adjourned at 1:50pm